

The Honorable Robert J. Bryan

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

UNITED STATE OF AMERICA,

Plaintiff,

vs.

MICHAEL JOHN SCOTT,

Defendant.

NO. CR:21-00134-RJB

MOTION AND DECLARATION TO  
CONTINUE PRE-TRIAL  
CONFERENCE, TRIAL DATE, AND  
PRETRIAL DEADLINES

**NOTE ON MOTION CALENDAR:  
October 8, 2021**

COMES NOW, Ken Therrien, the attorney for the defendant Michael John Scott and moves the court for an order continuing the trial date from November 1, 2021 to next available trial date after March 21, 2022. This motion is based upon the files and records herein and the Declaration of Counsel filed herewith.

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**KEN THERRIEN, PLLC**  
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**DECLARATION**

Ken Therrien upon oath deposes and states:

I am the Attorney for the defendant, Michael Scott. Mr. Scott was Indicted for these charges on August 11, 2021. Mr. Scott was arraigned on August 26, 2021. I was appointed to represent Mr. Scott August 26, 2021 ). The trial date in this matter is presently set for November 1, 2021.

Counsel for Mr. Scott is requesting a continuance of the trial date and time to file Pre-Trial Motions. The trial date that is requested is the next available trial date after March 21, 2022 The Declarant has been contacted by the Government and they have no objection to this continuance request.

On September 1, 2021 the declarant had a pre-planned trip back to the East Coast for a family wedding scheduled for September 1-9 2021. Just prior to leaving the declarant's legal assistant began her preplanned maternity leave on August 27, 2021 rather than September 1, 2021 as originally intended.

On September 13, 2021, went back to work and attempted to catch up the work that was missed. The replacement temp- that the Declarant had hired and trained since mid-August 2021 did not work out and had to be released from the declarant's employment.

When the declarant was in the process of reviewing pending deadlines he discovered that the time to file pre-trial motions on September 16, 2021 had passed. The declarant in an email dated September 23, 2021 notified the Government of this situation and his intent to ask for a continuance. The declarant also has a First-Degree Murder trial scheduled for October 18, 2021 that is expect to last 2-3 weeks.

The Declarant has spoken with Michael Scott about the continuance request and Mr. Scott has no objection to the continuance request.

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TRIAL CONFERENCE, TRIAL DATE, AND PRETRIAL  
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Dated this 27<sup>th</sup> day of September 2021.

/s/ Ken Therrien

KEN THERRIEN, WSBA #20291

Attorney for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury of the laws of the State of Washington that on September 27, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

- Karyn S. Johnson, Assistant United States Attorney
- Kristine Foerster, Assistant United States Attorney

s/ Ken Therrien

KEN THERRIEN, WSBA #20291

Attorney for Michael John Scott

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